

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

FC 2005-050344

02/06/2009

HONORABLE ALFRED M. FENZEL

CLERK OF THE COURT
A. Ocanas
Deputy

IN RE THE MATTER OF
SEVEN ELI TOMEK

JOSEPHINE CUCCURULLO III

AND

JORDAN BYRON SLOAN

TERESA S THAYER

NANCY SLOAN

WILLIAM D BISHOP

TASC - PHOENIX

MINUTE ENTRY

Courtroom 102

3:10 p.m. This is the time set for a Telephonic Status Conference regarding Petitioner's Motion to Continue the Status Conference Scheduled for February 9, 2009 at 1:30 p.m. Petitioner is not present, but is represented by above-named counsel who is telephonically present. Respondent is not present, but is represented by above-named counsel who is telephonically present. Intervenor/Paternal Grandmother is not present, but is represented by above-named counsel who is telephonically present.

A record of the proceedings is made by audio and/or videotape in lieu of a court reporter.

The Court is advised that the parties have reached an agreement, which agreement is set forth on the record as follows:

1. The parties agree to continue the Status Conference currently scheduled for February 9, 2009 at 1:30 p.m.

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2. Father shall have an additional four (4) hour period of supervised visitation per week in addition to his regular supervised parenting time. Said visitation shall be supervised by Paternal Grandmother. If Paternal Grandmother is not available to supervise Father's parenting time, then Father's supervised parenting time shall be supervised by Paternal Grandfather, Wayne.
3. The parties agree to Father's drug testing through TASC shall be done only twice per month and a Hair Follicle test shall be done prior to any unsupervised parenting time for Father.

The Court approves and adopts the parties' agreement as the order of the Court.

IT IS FURTHER ORDERED vacating the Status Conference currently scheduled in this Division on February 9, 2009 at 1:30 p.m. and resetting same to **April 9, 2009 at 8:45 a.m. for 15 minutes.**

LET THE RECORD REFLECT that counsel for Father indicates that counsel for Intervenor/Paternal Grandmother, Mr. Bishop, will be substituting counsel Thayer for all further proceedings. Counsel, William Bishop, will be submitting a Notice of Substitution to the Court.

IT IS ORDERED that Father shall undergo random drug testing twice per month on the following basis:

- A. Agency. Father's random drug testing shall be conducted at TASC.
Phone: (602) 254-7328
- B. First Test. Father shall report to TASC.
- C. Scope. Father shall undergo a full spectrum substance and drug test (Screen "A") for each test ordered herein.
- D. Cooperation. Father shall cooperate fully as reasonably required by the testing agency to comply with this Order, including:
 1. Father shall provide such samples as are reasonably required by the testing agency to comply with this order.
 2. Father shall timely report for testing and provide samples as directed by the testing agency.
 3. Father shall present photo identification to the testing agency at the time of each test, along with any prescription medications currently being taken.
 4. Father shall sign and deliver such forms of consent, authorization and release of test results as shall be reasonably required by the testing agency to comply with this Order.
- E. Cost. Father shall pay the cost of his testing by money order or cashier's check at the time of testing.

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- F. Frequency & Duration. Father shall be randomly tested not less than twice per month until further order of the Court and/or agreement of the parties.
- G. Positive/Diluted/Missed Test. In the event that Father tests positive on any test, misses a random test, or provides a diluted test sample on any test, the cycle and frequency of testing set forth in paragraph F above, shall be started again with weekly tests. All parties are advised that the failure, neglect or refusal to participate in testing, or providing a diluted test sample at the time of testing, may be considered an admission by the party that the testing, if properly conducted, would have revealed the use of the substance(s) tested for, which finding is contrary to the best interest of a child.
- H. Reporting. The parties are hereby advised that test results ARE NOT confidential and will be filed in the Court file upon receipt by the Court. The results of each test shall be reported directly to counsel for both parties, or directly to the parties at the addresses provided by the parties to the testing agency, if unrepresented by counsel. The testing agency shall also provide this Court with a copy of each test result.

3:18 p.m. Matter concludes.

All parties representing themselves must keep the Court updated with address changes. A form may be downloaded at: <http://www.superiorcourt.maricopa.gov/SuperiorCourt/Self-ServiceCenter>.